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# A BILL FOR AN ACT

RELATING TO THE PENAL CODE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The purpose of this Act is to amend the penal  
2 code to support the treatment and burial of a corpse consistent  
3 with traditional Hawaiian cultural customs and practices.

4       SECTION 2. Section 711-1108, Hawaii Revised Statutes, is  
5 amended to read as follows:

6       "**§711-1108 Abuse of a corpse.** (1) A person commits the  
7 offense of abuse of a corpse if, except as authorized by law,  
8 the person treats a human corpse in a way that the person knows  
9 would outrage ordinary family sensibilities.

10       (2) The preparation of a corpse for burial or cremation in  
11 a manner consistent with traditional Hawaiian cultural customs  
12 and practices shall not be a violation of this section.

13       (3) The burial or cremation of a corpse prepared  
14 consistent with traditional Hawaiian cultural customs and  
15 practices shall not be a violation of this section.

16       ~~[(2)]~~ (4) Abuse of a corpse is a misdemeanor."

17       SECTION 3. Statutory material to be repealed is bracketed  
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1 and stricken. New statutory material is underscored.

2 SECTION 4. This Act shall take effect upon its approval.

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**Report Title:**

Abuse of a Corpse; Traditional Hawaiian Cultural Customs and Practices

**Description:**

Provides that the treatment of a corpse in a manner consistent with traditional Hawaiian cultural customs and practices and the burial or cremation of a corpse prepared consistent with traditional Hawaiian custom and practice shall not constitute the abuse of a corpse within the penal code. (SD1)

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